

MEMO ENDORSED

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Civil No.: 7:19-cv-09021

Plaintiff

-v-

Joyce P. Gurliacci  
123 Berme Road  
Port Jervis, NY 12771

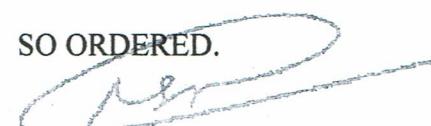
Beneficial Homeowner Service Corporation  
400 Route 211 East, Suite 21  
Middletown, NY 10940

John Doe, Mary Roe, and XYZ Corporation  
123 Berme Road  
Port Jervis, NY 12771

Plaintiff's Motion for Judgment of Foreclosure is denied without prejudice to renewal upon seeking default judgment by way of Order to Show Cause pursuant to my Individual Practices (see Attachment A) and ECF Rules. All supporting documents are separately filed, each document receiving its own document number on ECF. Clerk of the Court requested to terminate the motion (doc. 22).

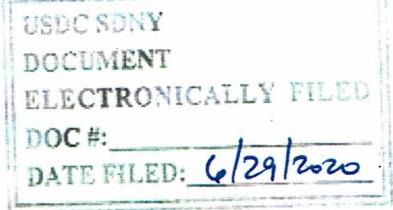
Dated: June 29, 2020

SO ORDERED.

  
Nelson S. Román, U.S.D.J.

**NOTICE OF MOTION AND MOTION FOR JUDGMENT OF FORECLOSURE  
AND SALE AND FOR AMENDMENT OF THE CAPTION TO DISMISS  
DEFENDANTS MARY ROE, JOHN DOE, and XYZ CORPORATION**

PLEASE TAKE NOTICE that the United States of America, by Cynthia Malone, Attorney, admitted in the Southern District of New York, will move and does hereby move this Honorable Court, located at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse 300 Quarropas St., White Plains, NY 10601, on a date to be determined by the Court, or as soon thereafter as counsel can be heard, for judgment of foreclosure and sale, pursuant to Rule 55(b) of the Federal Rules of Civil Proceedings Law, adjudging the amount owing to the plaintiff and secured by the mortgage which is the subject of this action, decreeing the sale by the United States Marshal for the Southern District of New York of the mortgaged premises described in the Complaint to be sold subject to the rights, if any, of all oil and gas



leases of record, directing that the United States be paid the amount so adjudged, its costs and disbursements, and the expenses of sale out of the proceeds of such sale; for an Order permitting amendment of the caption dismissing the defendants, "Mary Roe, John Doe, and XYZ Corporation", as no one has been served under these fictitious names at the premises at issue, pursuant to Rule 15 of the Federal Rules of Civil Procedure and for such other and further relief as the Court may deem just.

In support of the present Motion, the United States relies upon the attached Affidavit of Cynthia Malone, the exhibits described therein, and upon all the pleadings and proceedings in this action.

Dated: Uniondale, New York, January 17, 2020

/s/Cynthia Malone

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